

Docket No. 740116-498

Serial No. 10/727,562

Page 6

REMARKS

By the above actions, the specification and claims 1, 20 and 21 have been amended, and claim 22 has been cancelled. In view of these actions and the following remarks, further consideration of this application is now requested.

Before proceeding further, the Examiner's attention is directed to the appended Request for Withdrawal of Premature Finality that was filed February 21, 2006, but which was not acted upon by the Examiner. This Request is hereby incorporated into this response and is renewed for the reasons set forth therein which warrant withdrawal of the finality of the Examiner's February 15th Office Action and entry of this response as a matter of right.

It has been noted that, while the allowability of claims 11 & 12 has been withdrawn, claims 6-9, 13-17 and 19 continue to be considered to contain allowable subject matter. However, since claim 1 from which these claims depend is also believed to be patentable, no action is being taken at this time to place these claims in condition for allowance.

With regard to the objection to claim 20, this claim has been corrected by insertion of the missing word "produces" so that it now reads in the same manner as claim 19. Accordingly, this objection should now be withdrawn and such action is requested.

Claims 1-20 were rejected under 35 USC § 112 as being indefinite. In view of the fact that the language of claim 1 found ambiguous by the Examiner has been amended in accordance with the Examiner's suggestion, the § 112 rejection should now be withdrawn.

Claims 1-5, 10-12, & 20-22 have been rejected under 35 USC § 102 as being anticipated by the Patent Application Publication to Roos. This rejection is inappropriate, at least insofar as it relates to the claims as now presented for the following reasons.

As noted in applicant's prior response, paragraph nos. [0005] and [0006] state:

An object of the present invention is directed to a motor vehicle door lock that has a reduced striking noise associated with a blocking operation of the drive as well as a reduced tendency to jam.

One way in which the aforementioned object is achieved is through use of the motor vehicle door lock of the present invention. A door lock with latching elements such as a latch and ratchet with a lock mechanism is provided. The lock mechanism has a drive that includes a drive motor, or the like, and an actuating element. The ratchet can be raised by the drive, and the ratchet thus moves into an action area of the drive so that the ratchet can block further movement of the drive. Thus, the movement of the ratchet can turn off the drive in a block operation. The ratchet, viewed in a "kinematic chain" from the drive motor to the actuating element, engages the drive to block in

Docket No. 740116-498

Serial No. 10/727,562

Page 6

REMARKS

By the above actions, the specification and claims 1, 20 and 21 have been amended, and claim 22 has been cancelled. In view of these actions and the following remarks, further consideration of this application is now requested.

Before proceeding further, the Examiner's attention is directed to the appended Request for Withdrawal of Premature Finality that was filed February 21, 2006, but which was not acted upon by the Examiner. This Request is hereby incorporated into this response and is renewed for the reasons set forth therein which warrant withdrawal of the finality of the Examiner's February 15th Office Action and entry of this response as a matter of right.

It has been noted that, while the allowability of claims 11 and 12 has been withdrawn, claims 6-9, 13-17 and 19 continue to be considered to contain allowable subject matter. However, since claim 1 from which these claims depend is also believed to be patentable, no action is being taken at this time to place these claims in condition for allowance.

With regard to the objection to claim 20, this claim has been corrected by insertion of the missing word "produces" so that it now reads in the same manner as claim 19. Accordingly, this objection should now be withdrawn and such action is requested.

Claims 1-20 were rejected under 35 USC § 112 as being indefinite. In view of the fact that the language of claim 1 found ambiguous by the Examiner has been amended in accordance with the Examiner's suggestion, the § 112 rejection should now be withdrawn.

Claims 1-5, 10-12, and 20-22 have been rejected under 35 USC § 102 as being anticipated by the Patent Application Publication to Roos. This rejection is inappropriate, at least insofar as it relates to the claims as now presented for the following reasons.

As noted in applicant's prior response, paragraph nos. [0005] and [0006] state:

An object of the present invention is directed to a motor vehicle door lock that has a reduced striking noise associated with a blocking operation of the drive as well as a reduced tendency to jam.

One way in which the aforementioned object is achieved is through use of the motor vehicle door lock of the present invention. A door lock with latching elements such as a latch and ratchet with a lock mechanism is provided. The lock mechanism has a drive that includes a drive motor, or the like, and an actuating element. The ratchet can be raised by the drive, and the ratchet thus moves into an action area of the drive so that the ratchet can block further movement of the drive. Thus, the movement of the ratchet can turn off the drive in a block operation. The ratchet, viewed in a "kinematic chain" from the drive motor to the actuating element, engages the drive to block in

Docket No. 740116-498

Serial No. 10/727,562

Page 7

front of the actuating element and *not on the actuating element itself* (without directly engaging the actuating element). The engagement point of the ratchet in the kinematic chain has the advantage that the blocking, which is necessary for blocking operation, takes place at the point at which the active torque is comparatively low. Thus, this results in a reduced striking noise as well as a reduced tendency to jam. (Emphasis Added).

In contrast, Roos discloses an arrangement which has, as indicated by the Examiner, an actuating element 20. However, blocking of the drive, as clearly shown in Fig. 2, occurs by engagement of the peg 16 on the actuating element 20. Thus, while the actuating element is carried by the ratchet 7, it is incorrect to state that blocking is produced on the ratchet 7 and not on the actuating element itself. However, since it appears that the Examiner may be misconstruing the term "before" and has ignored the language "without directly engaging the actuating element," perhaps due to the ambiguity that formed the basis of the § 112 rejection, the language of claim 1 has been revised to remove any ambiguity and it clear the present invention is not directed to an arrangement as in Roos where blocking occurs by direct engagement with the actuating element. Likewise, claim 21 has been amended to specify that the point at which blocking engagement occurs is "a location in said kinematic chain that is remote from the actuating element," such is clearly not the case for the Roos arrangement.

Therefore, the outstanding rejection based upon Roos should be withdrawn and such action is requested.

While this application should now be in condition for allowance, in the event that any issues should remain after consideration of this response which could be addressed through discussions with the undersigned, then the Examiner is requested to contact the undersigned by telephone for that purpose.

Respectfully submitted,



David S. Safran
Registration No. 27,997

Roberts Mlotkowski & Hobbes P.C
PO Box 10064
McLean, VA 22102
Direct Telephone: (703) 584-3273

DSS:kmm